

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

NOTICE OF DOCUMENT DISCREPANCIES AND ORDER THEREON

FILED

CASE NO.: 08CR0247-H

CASE TITLE: *USA v Martinez-Peralta*

08 MAR 10 PM 3: 28

E-FILED DATE: 3/3/08

DOCKET NO.: 8

DOCUMENT TITLE: Motion to Compel Discovery, Motion to Dismiss Indictment, Motion for Leave to File Further Motions, Motion to Suppress Statements

DOCUMENT FILED BY: Juan Martinez-Peralta

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JMB
DEPUTY

Upon the electronic filing of the above referenced document(s), the following discrepancies are noted:

x	Civil Local Rule or Electronic Case Filing Administrative Policies and Procedures Manual provision ("ECF")	Discrepancy
	ECF § 2(h)	Includes a proposed order or requires judge's signature
	ECF § 2(a), (g)	Docket entry does not accurately reflect the document(s) filed
	ECF § 2(g)	Multiple pleadings in one docket entry not separated out as attachments
	ECF § 2(f)	Lacking proper signature
	Civ. L. Rule 5.1	Missing time and date on motion and/or supporting documentation
x	Civ. L. Rule 7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely (Correct Hearing Date is March 17, 2008 at 2:00 p.m.)
	Civ. L. Rule 7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
	Civ. L. Rule 7.1 or 47.1	Briefs or memoranda exceed length restrictions
	Civ. L. Rule 7.1	Missing table of contents
	Civ. L. Rule 15.1	Amended pleading not complete in itself

IT IS HEREBY ORDERED:

X	The document is accepted despite the discrepancy noted above. Any further non-compliant documents may be stricken from the record.
	The document is rejected. It is ordered that the Clerk STRIKE the document from the record, and serve a copy of this order on all parties.

Counsel is advised that any further failure to comply with the Local Rules or Electronic Case Filing Administrative Policies and Procedures Manual may lead to penalties pursuant to Civil Local Rule 83.1.

DATED: 3/10/08

Marilyn L. Huff
Marilyn L Huff
United States District Court Judge

Loraine
Odierno/CASD/09/USCOURT
S

03/04/2008 02:54 PM

To efile_huff@casd.uscourts.gov
cc
bcc
Subject Discrepancy Order 08cr247-H

Attached is a draft of a Discrepancy Order in case 08cr247-H. There was a Motion filed in 08cr247 (docket entry #8) which listed the hearing date and time as 3/3/08 @ 2pm. The hearing should have been set for 3/17/08 at 2pm. Please let me know if you have any questions. Thank you.

-Loraine

----- Forwarded by Loraine Odierno/CASD/09/USCOURTS on 03/04/2008 02:36 PM -----

Thelma Mason/CASD/09/USCOURTS

03/04/2008 01:56 PM

To Loraine Odierno/CASD/09/USCOURTS@USCOURTS
cc
Subject Re: 08cr247-H [Link](#)

Just forward to chambers, Secretary Anne Marshall usually looks at these. Do you have the ability to put in the correct mot hrg date of 3/17 2pm anywhere?

Thelma

Loraine Odierno/CASD/09/USCOURTS

03/04/2008 12:27 PM

To Thelma Mason/CASD/09/USCOURTS@USCOURTS
cc
Subject Re: 08cr247-H [Link](#)

Hi Thelma,

Thank you for the email. I have drafted the Discrepancy form you requested for case 08cr247. Is there a specific law clerk in chambers who handles criminal matters that I should forward this to? Thanks again for all of your help :)

-Loraine



08cr247-Discrepancy Form.wpd 08cr247-Discrepancy Form.wpd

1 **VICTOR N. PIPPINS**

California State Bar No. 251953

2 **FEDERAL DEFENDERS OF SAN DIEGO, INC.**

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3 San Diego, California 92101-5008

Telephone: (619) 234-8467

4 E-mail: victor_pippins@fd.org

5 Attorneys for Mr. Martinez-Peralta

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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10 (HONORABLE MARILYN L. HUFF)

11 UNITED STATES OF AMERICA,)

12 Plaintiff,)

13 v.)

14 **JUAN MARTINEZ-PERALTA**)

15 Defendant.)

Case No. 08-CR-0247-H

Date: ~~March 3, 2008~~ 3/17/08

Time: 2:00 p.m.

**NOTICE OF MOTION AND
MOTIONS TO:**

- 1) COMPEL DISCOVERY
2) DISMISS INDICTMENT
3) SUPPRESS STATEMENTS
4) FILE ADDITIONAL MOTIONS

18 TO: KAREN P. HEWITT, UNITED STATES ATTORNEY
19 DAVID L. KATZ, ASSISTANT UNITED STATES ATTORNEY

20
21 **PLEASE TAKE NOTICE** that on March 17, 2008, or as soon thereafter as counsel may be heard,
22 Juan Martinez-Peralta, by and through his counsel, Victor N. Pippins and Federal Defenders of San Diego,
23 Inc., will ask this Court to enter and order granting Mr. Martinez-Peralta's motions in the above listed case.

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